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| APPLICATION NO.                                                                                          | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.          | CONFIRMATION NO.       |
|----------------------------------------------------------------------------------------------------------|-------------|----------------------|------------------------------|------------------------|
| 10/765,011                                                                                               | 01/26/2004  | William P. Anderson  | BLO1134-003F                 | 1286                   |
| 8698 7590 06/06/2007<br>STANDLEY LAW GROUP LLP<br>495 METRO PLACE SOUTH<br>SUITE 210<br>DUBLIN, OH 43017 |             |                      | EXAMINER<br>POINVIL, FRANTZY |                        |
|                                                                                                          |             |                      | ART UNIT<br>3692             | PAPER NUMBER           |
|                                                                                                          |             |                      | MAIL DATE<br>06/06/2007      | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/765,011

**Applicant(s)**

ANDERSON ET AL.

**Examiner**

Frantzy Poinvil

**Art Unit**

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 April 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                            |                                                                                         |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                           | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Response to Arguments***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/16/2007 has been entered.
2. Applicant's arguments filed 4/16/2007 have been fully considered but they are not persuasive.

### **Response to the Applicant's arguments:**

3. The Examiner had stated that Chancey et al do not provide prompts for facilitating users to request information from a specific account number. In response to this statement, the applicant's representative has amended the independent claims to recite:

prompting a second one of said plurality of users of said web site for a third account number for financial transaction data from a third financial institution; or a second or third account number;

requesting from said database financial transaction data for said first, second or third account number, and presenting the requested information.

In response, as previously stated, Chancey et al do not explicitly state providing prompts to users for providing an account number when requesting financial transaction relating to that

specific account number. As noted, all the financial transactions of a user are obtained from specific databases associated with that account number. Furthermore, Chancey et al state checking account numbers, credit card account numbers and other users' accounts are obtained from financial service providers and stored in computer of the system of Chancey et al.

Particularly at column 3, lines 8-24, Chancey et al state:

“A computer 10 is shown coupled to a disk drive 12 and a modem 14, all of conventional design. The modem 14 is used to communicate over telephone lines with a remote source 16 such as an on-line utility service. The disk drive 12 is used to read information from or write information to a floppy disk 18. The computer 10 (which typically includes a video display terminal, keyboard and mouse, and other peripherals) can execute computer programs such as a financial management program 20. The program 20 may include a number of features such as a bank account 22 (checking, savings and the like), a credit card account 24 and other accounts. Through registers that are graphically displayed by the computer 10 on the video display terminal, a user can track income and expenditures from these accounts more quickly and accurately than through paper registers.”.

From this passage, it should be noted that user's accounts are stored in a well structured memory storage having different types of identifiers such as account numbers and financial service providers. Thus, providing prompts to a user for inserting any associated account numbers when viewing this passage would have been obvious to one of ordinary skill in the art to do so because these are well known database search and retrieval database techniques. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chancey et al in such a manner in order to allow a user to view information relating to

Art Unit: 3692

one account number at a time as would be desired so as to facilitate analysis of account information of a specific account number at a time.

Applicant also states that Chancey et al only provide a datafile or diskette having a user's stored financial information and do not provide prompts to users to retrieve financial information related to a user's specific account.

In response, Chancey et al do state providing a datafile containing users' financial information. It should also be noted that the stored information in the datafile are not scattered, instead they are arranged by account numbers. See column 3 of Chancey et al. Thus, modifying the system of Chancey et al to provide prompts to users to retrieve information related to a specific account number would have been obvious to one of ordinary skill in the art in order to allow users to retrieve and analyze financial information of a specific account.

Applicant's representative then states that "there is not indication at al in Chancey et al that the statement is generated more often than monthly or that a u ser can review recent transaction data (collected daily or within 24 hours of posting) and then argues that Chancey et al do not teach access or suggest access to recent transaction data.

In response, while Chancey et al do provide monthly statements, it should be noted that since the monthly statements before obtained and after obtained by Chancey et al are stored in a well structured database. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Chancey et al by allowing a user to retrieve information related to a specific account number thus providing instant analysis or review of a specific account.

Art Unit: 3692

Applicant's representative then argues that "Chancey teaches access to one computer where financial data from a single financial institution may reside. The Examiner has not identified in Chancey multiple financial institution computers and yet another computer for receiving data from multiple financial institution computers so that users of different financial institutions can be served from a single site or so that a user of multiple financial institutions can be served from a single site. Chancey teaches a single user accessing a single computer for a single account".

In response, the Examiner respectfully disagrees with the applicant's assertion. It is noted that in Chancey et al, all information are stored in a storage medium. These storages or databases include indexes or account numbers for different types of accounts (checking, savings or credit cards). See columns 3 and 4 of Chancey et al. Thus, using one of these account numbers as a retrieval key or index would have been obvious to one of ordinary skill in the art to do in order to facilitate the retrieval of information related to a specific account number as noted above.

Applicant's representative then argues that the Examiner's reliance on Atkins to denote teachings of a web enabling system adds nothing to the deficiency of Chancey et al.

In response, Atkins had only been used to provide teachings of a web enabling system. Providing prompts to a user requesting financial information is discussed above. Furthermore, it is noted that Atkins also stores a plurality of different financial accounts for a plurality of clients.

4. The prior Office action is repeated below.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chancey et al. (US Patent No. 5,842,185) in view of Atkins (US Patent No. 4,953,085).

As per claims 1-2, 4-9, 11-16, 18-24, 26-36, 38-44 and 46, Chancey et al disclose a system and method for the operation of a financial account. The system and method comprise collecting and transmitting at least daily financial transactions data from a plurality of financial institutions for a plurality of users (see column 4, lines 4-42) as Chancey et al teach a plurality of financial institutions transmit a customer's financial information using respective computers to a remote source (similar to the claimed "database accessible from a server"). Chancey et al further teach prompting one of the pluralities of users for viewing financial information. Chancey et al also teach requesting from the database, financial transaction data for a customer's first and second account having a related first and second account number. See column 5, lines 24-35 of Chancey et al. Chancey et al also teach presenting the financial transaction data for the first and second account numbers to the one of the plurality of users. See also column 5, lines 24-35 of Chancey et al.

The only difference between Chancey and the claimed invention is that Chancey et al do not prompt the one of the plurality of users for individual first and second account number for financial transaction data from a respective first and second financial institution. As per this

limitation, the Examiner asserts that this is a trivial difference as such would have been obvious to one of ordinary skill in the art to modify Chancey et al by providing users the choice to view only selected financial transaction data as would have been desired.

The system and method of Chancey et al perform similarly to an OnLine system and method. The only difference between Chancey et al and the claimed invention is that Chancey et al do not explicitly state that a user may access their particular account via a website or a browser. However, Chancey et al state that a user accesses these data remotely and customers' account data are retrieved from remote files for incorporated into their computer system. See column 5 and figure 4 of Chancey et al.

Systems for using a remote computer to access remote data from a server was well practiced in the art at the time of the applicant's invention. Atkins states that through their system, a user or client may access news or financial information via CompuServe which is a web enabling system as Atkins states:

"Through the system of the invention the client can also access a host of ancillary investment news, information, advice, and counseling. In particular, a client can access a current news and information database such as Dow Jones News Retrieval.TM., The Source.TM. and Compuserve.TM". See column 9, lines 8-13.

From these teachings or suggestions, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Chancey et al with Atkins by providing a user with the easy manner of accessing information from a remote server from anywhere in the world.



Chancey et al further teach creating and presenting to their clients a report comprising financial transaction data. See columns 4 and 5 of Chancey et al.


As per claims 3, 10, 17, 25, 37 and 45, Chancey et al teach transmitting the financial transaction data to an accounting software package at the one of the plurality of user's computer. See column 4, lines 6-22. In the system of Chancey et al., the user or client transmits their account file or financial transaction data to their accounting software file.

**Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday from 7:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fisher can be reached on (571) 272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
**Frantzy Poinvil**  
**Primary Examiner**  
**Art Unit 3692**

FP  
May 28, 2007